REMARKS

In the Official Action mailed on **19 August 2009**, the Examiner reviewed claims 1-30. Examiner rejected claim 1 under 35 U.S.C. § 101. Examiner provisionally rejected claims 1-17 on the ground of non-statutory obviousness-type double patenting as being unpatentable over claims 1-22 of co-pending Application No. 10/701,154 and co-pending Application No. 10/701,356. Examiner rejected claims 1-9, and 11-23, and 25-30 under 35 U.S.C. § 102(e) based on Tams et al. (U.S. Pub. No. 2003/0069952, hereinafter "Tams"). Examiner rejected claims 10 and 24 under 35 U.S.C. § 103(a) based on Tams, in view of Maufer et al. (U.S. Patent No. 7,120,930, hereinafter "Maufer").

Double Patenting Rejection

Examiner provisionally rejected claims 1-17 on the ground of non-statutory obviousness-type double patenting as being unpatentable over claims 1-22 of co-pending Application No. 10/701,154 and co-pending Application No. 10/701,356. In compliance with 37 CFR 1.321, Applicant has filed a terminal disclaimer (see attached).

Rejections under 35 U.S.C. § 101

Examiner rejected claim 1 under 35 U.S.C. § 101, stating that claim 1 appears to be directed to a data structure. Applicant has amended claim 1 so that the claimed invention is directed to a computer system. Applicant has similarly amended claim 18 and corresponding dependent claims. Support for these amendments is found in instant application, Figure 3. No new matter has been added. Applicant submits that the amended claims overcome the 101 rejection.

8

Rejections under 35 U.S.C. § 102

Examiner rejected claims 1-9, and 11-23, and 25-30 under 35 U.S.C. § 102(e) based on Tams. Applicant respectfully disagrees with this rejection. Tams does not disclose a connection table that maps each node of a network to a record that stores information indicating whether the node is operating as a client as a server.

Specifically, Tams discloses tables that "monitor conversations which occur in the network, and keep count of the total number of bytes and packets seen for each conversation for each monitored protocol" (Tams, par. [0021]). Furthermore, "each record is used to represent a conversation between two hosts and the records are time aligned depending on the resolution…" (Tams, par. [0201]). Nowhere does Tams disclose that the records include information indicating whether the node is operating as a client or as a server.

In contrast, embodiments of the present invention store information about whether the node is operating as a client or operating as a server. Whether a node is operating as a client or a server can be determined, for example, by determining whether the node sent a "sync" packet or a "synch_ack" packet. Typically, if the protocol is TCP the source of the "sync" packet is the client and the source of the "synch_ack" packet is the server. If the protocol is not TCP, whether a node is operating as a client or a server can be determined by both the port number and a previous source of a "synch_ack" packet. Storing client/server statistics can be useful to detect anomalies such as worm intrusions and other types of intrusions. See instant application, P7:L24-P8:L20.

Hence, Tams does not disclose the feature of determining whether a node is operating as a client or a server, nor does Tams disclose receiving this information from an external source and storing it.

Accordingly, Applicant has amended independent claims 1 and 18 to clarify that embodiments of the present invention involve a connection table that maps each node of a network to a record that stores information about traffic to or

9

from the node and between that node and other nodes in the network and stores information indicating whether the node is operating as a client or a server. Support for these amendments is found in instant application, P7:L24-P8:L20. Applicant has also amended claims 8-12, 16, 22-26 and 29 to improve clarity and/or provide proper antecedent basis. No new matter has been added.

Hence, Applicant respectfully submits that independent claims 1 and 18, as currently amended, are in condition for allowance. Applicant also submits that claims 2-17 and 26, which depend upon claim 1, and claims 19-25 and 27-30, which depend upon claim 18, are for the same reasons in condition for allowance and for reasons of the unique combinations recited in such claims.

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CONCLUSION

It is submitted that the application is presently in form for allowance. Such action is respectfully requested.

Respectfully submitted,

By   _/Shun Yao/_____
         Shun Yao
         Registration No. 59,242

Date: 19 November 2009

Shun Yao
Park, Vaughan & Fleming LLP
2820 Fifth Street
Davis, CA 95618-7759
Tel: (530) 759-1667
Fax: (530) 759-1665
Email: shun@parklegal.com

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